

# Notice of Allowability

Application No.

10/078,475

Examiner

Mike Tomaszewski

Applicant(s)

BAN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to to the RCE filed 5/14/07.
2. ☒ The allowed claim(s) is/are 1-6,8-17,19-21 and 23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☒ Some\* c) ☐ None of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

***Notice To Applicant***

1. This communication is in response to the amendment filed on 5/2/07. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/2/07 has been entered.

Claims 7, 18 and 22 have been cancelled. Claims 1-6, 8-17, 19-21 and 23 are in condition for allowance.

***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Juan Carlos A. Marquez on 7/26/07.

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(A) The preamble of claim 12 has been amended as follows:

12. (Currently Amended) A health management support program implemented in software ~~stored on a tangible medium embodied on a~~ computer-readable medium for generating life expectancy data to be used in a health management system, said program comprising the steps of:

The remainder of claim 12 remains as amended by Applicant and as recited on page 5 of the amendment filed on 5/2/07.

***Allowable Subject Matter***

3. Claims 1-6, 8-17, 19-21 and 23 are allowed. The following is an Examiner's statement of reasons for allowance:

(A) Claim 1 is directed to a health management support method implemented in a computer-based data processing system for generating life expectancy data to be used in a health management system, comprising:

- (1) providing a database for storing healthy life expectancy prediction data that represents transition of a percentage of normal people in each result of health screening;
- (2) generating health screening report data for each person who undergoes health screening by data entry means;

- (3) generating personal healthy life expectancy prediction data by selecting at least one of said healthy life expectancy prediction data from said database in combination of at least one of daily living habits and at least one of decision results in said inputted health screening report data for each said person;
- (4) estimating a predicted period of healthy life expectancy of each said person by selecting one of said healthy life expectancy data from said database in accordance with said at least one of daily living habits and said at least one of decision results in said health screening data of said person who undergoes health screening and calculating based on said selected personal healthy life expectancy prediction data; [[and]]
- (5) outputting said estimated predicted period of healthy life expectancy of each said person;
- (6) preparing medical payment prediction knowledge data as basic data for predicting medical payment from a diversity of healthy life expectancy; and
- (7) calculating a predicting amount of future medical payment of the each person who undergoes health screening based on the predicted period of healthy life expectancy of the each person and the medical payment prediction knowledge data;

- (8) wherein a predicting amount of future medical payment is calculated by the summation of the average medical expenses a year per age multiplied by correction coefficients for the predicted duration of disease and/or disability that is difference between an average 'life expectancy and the predicted period of healthy life expectancy, the correction coefficients being set so as to decrease the average medical expenses a year per page as the recuperation period is prolonged.

The closest prior art of record, *Summerell et al.* (5,937,387; hereinafter *Summerell*) teaches an interactive wellness system for developing and selecting a customized wellness plan that measures a user's wellness by determining a user's physiological age.

*Summerell* does not disclose predicting future medical payments amounts by totaling the sum of average medical expenses a year per age multiplied by various correction coefficients corresponding to the predicted duration of a particular disease and/or disability that is the difference between an average life expectancy and the predicted period of healthy life expectancy, whereby the correction coefficients are set so as to decrease the average medical expenses a year per age as the period of recuperation is extended, as recited in claim 1.

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4. Independent claim 12 substantially recites the same limitations of independent method claim 1, but as medium. As such, the closest prior art of record, *Summerell*, does not disclose a method that recites predicting future medical payments amounts by totaling the sum of average medical expenses a year per age multiplied by various correction coefficients corresponding to the predicted duration of a particular disease and/or disability that is the difference between an average life expectancy and the predicted period of healthy life expectancy, whereby the correction coefficients are set so as to decrease the average medical expenses a year per age as the period of recuperation is extended.
5. Dependent claims 2-6, 8-11, 13-17, 19-21 and 23 incorporate the features of either claim 1 or 12 through dependency and therefore, are also allowed for the same reasons given above.
6. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Tomaszewski whose telephone number


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is (571)272-8117. The examiner can normally be reached on M-F 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571)272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT



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